

**Land Use**

## LAND USE

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### Introduction

The purpose of the land use section is to describe the existing land use in the Village of Bennet and to recommend land use policies for future development that are compatible with the general character of the community. It serves as a guide to decisions by the Planning Commission and the Village Board over private development proposals and location of public facilities. It also lays the foundation for zoning and subdivision regulations.

### Existing Land Use

On April 24, 1993, a group of volunteer residents completed a land use survey for the Village. The town was divided into quarters and a different team identified the use of each lot. Land use classifications can be found in Appendix A, while the survey results can be seen in Table 9.

*Table 9 - Land Use Survey Results, 1993*

<i>Classification</i>	<i>Acres</i>	<i>Percent of Total</i>
Residential	84.1	34.8
Public/Quasi-Public	11.0	4.5
Parks and Recreation	10.5	4.3
Commercial	4.0	1.7
Industrial	11.8	4.9
Streets and Roads	53.5	22.2
Vacant/Agricultural	66.6	27.6
Total	241.5	100

Source: Land Use Survey, Bennet Planning Commission

The overall pattern of land development in Bennet reveals a low density residential area about evenly divided east and west of Highway 43. Many of the houses are on double or even triple building lots. A typical single lot is 44' wide and 124' deep.

Over the years the commercial area has moved onto Highway 43, leading to strip development. The older central business district has deteriorated. There are a few commercial activities mixed in with the residential area, creating conflicting and incompatible uses.

Nearly 5% of the Village is used for industrial purposes. Much of this is along the railroad on the south edge of the Village with the remainder being in the downtown area. This has led to complaints from residents about the appearance of downtown as shown in the 1992 community survey. When asked about the general appearance of

the business district, 51% indicated that it needed a little improvement and 34% called for a lot of improvement. Only 10% were satisfied with the present appearance.

Scattered throughout the Village are areas of public/quasi public uses. These include the Village office, elementary school, rural volunteer fire department, rural water district office and church. Parks and recreation use areas consist of the town park, a T-ball field and a regular baseball/softball field.

Almost one-fourth of the land in Bennet is in the form of streets. Although the grid street pattern used in Bennet takes up more land area than a typical curvilinear system, curvilinear is not necessarily better. The grid system is extremely efficient for maintenance and access while curvilinear provides greater visual interest and, typically, safer streets in residential areas.

The Village of Bennet exercises administrative authority over the land that is within one mile of the Village boundary in every direction. This includes authority over land use, zoning regulations and issuance of building permits. As the Village expands, so does this one mile extension.

This area of land surrounding the Village limits is slightly more than 2500 acres, 10 acres of which is the Bennet cemetery which is not within the Village limits. There are currently over 45 housing structures affected by this jurisdiction of the Village in that area, all single family dwelling units, with an estimated population of 120 persons.

Essentially all the land in this 2500 acres is zoned as open space agricultural land. Its use varies from year to year as row crops, hay fields and pasture land for livestock. Much of this land also lies within the flood plain of the Little Nemaha River to the west and south of Bennet.

## **Land Use Issues**

An important part of the comprehensive planning program is the designation of future development areas for each of the land uses. Issues include:

- The extent of future community development
- The location and nature of future residential areas
- The location of additional commercial sites and expansion of the Village center
- The preservation of industrial sites
- The development of parks and preservation of open space
- The preservation of agricultural land

## **Community Development**

Community development is meant to include the type of development that typically occurs within the established portion of the community residential, commercial, industrial and certain public land uses, and excludes agricultural use and vacant or open space.

Bennet needs to provide land for future community development. The location should be limited to areas within and adjacent to Bennet that can reasonably be served by the

water and sewer systems. The railroad and river on the south and west edge of the Village will limit development in those directions. The area along the river is included in the 100 year flood plain with base elevations of flood hazards determined. The Village proper, and areas north and east, are subject to minimal flooding. As Bennet grows in the future, the areas north and east seem to be the most likely areas for development.

### ***Residential Development***

Residential land uses include single family homes, duplexes, apartments and mobile homes. At current trends at least 12 additional housing units are projected to be needed by the year 2000 as will be explained in the housing portion of this plan. Ideally, this development should occur first on undeveloped lots within the Village. Realistically, many of these lots may not be available because the owners place a high value on their space. Therefore, in the future it will be necessary to look beyond the already platted lots in Bennet.

A number of key development factors should be used to measure the relative merit of a potential growth area. These include the difficulty (cost) of providing utility extension, the ease with which new streets could be connected with existing Village streets, any conflict residential development might have with commercial or industrial development, and the relation of the area to the Village center and natural features with potential for park development.

### ***Commercial Development***

In the 1993 Bennet Community Survey, 73% of the respondents stated that any new commercial development should occur in the older business district. Over 60% indicated support of a financial institution as well as professional services (lawyer, tax service, etc.). Retail establishments most desired included a grocery store, general store and restaurant.

Because of the proximity of Lincoln, new commercial development may be limited. However, the community should strive to maintain certain retail establishments. Land exists for limited commercial development. Locating a commercial business in the business district should be encouraged, however special care should be taken to assure adequate parking spaces and orderly traffic flow. Parking turnover will be fairly rapid, but it is still necessary to provide at least one space for every 200 square feet of floor space.

This is not to say that commercial development can, or should, only take place in the central business district. From time to time unforeseen opportunities for commercial development can arise that can have a profound, positive impact on the Village and its residents, and these developments may not be suitably located in that area. Such development should still be encouraged to the extent that the potential benefit to the community as a whole exceeds any potential harm.

### ***Industrial Development***

Because of the numerous attractions for a prospective industry, Lincoln will undoubtedly be the focal point for industrial development. That does not mean,

however, that Bennet does not have potential in this area. Some companies are eager to locate in smaller towns.

Land currently used for industrial purposes is along the railroad on the south edge of the Village. There is little room for expansion within that area. The Village may want to work with the Nebraska Industrial Site Evaluation Team to help develop a suitable site(s) for limited industrial expansion. Any industrial expansion which occurs should be carefully controlled for smoke, dust and noise nuisances, should have direct access to a major street, and should have adequate off-street parking facilities for its employees.

Improvements currently planned by the Nebraska Department of Roads could have a very positive impact on the desirability of locating near the junction of Highway 2 and Highway 43. Easy access to the major highway will increase the advantages to locating in this area. The Village recognizes the potential for industrial and/or retail uses in that area. The main development area should be on the south side of Highway 2 and only limited development should be allowed to the north. No development should be allowed in either area which would be detrimental to the Village.

### ***Park Development and Open Space Preservation***

Stream and drainage courses, tree stands, and other natural features should be developed as parks or preserved as open space. However, many of these areas are likely to remain in private ownership. Plans should be developed to maintain and improve existing facilities.

In July of 1994, the State of Nebraska adopted a comprehensive trails plan for the State. The Burlington Northern Railroad line running from Lincoln through Bennet to Nebraska City was identified as a potential trail. The suggestion is that such lightly used rail corridors be monitored for future rail banking and development as multi-use trails. The Village should keep aware of such plans which would connect it with the State trails system.

### ***Preservation of Agricultural Lands***

There is a growing awareness of the importance of agriculture in feeding a growing worldwide population, and its role in the local, regional and even national economy. The Lincoln-Lancaster County region has long supported the policy of retaining agricultural lands and has opposed unneeded and indiscriminate conversion of agricultural land to urban uses.

Rural lands should be retained in agricultural use until needed for community expansion. Because of the physical features of the land, Bennet will have to grow toward the north and east. Therefore, some of that land near the current Village limits may need to be converted from agricultural use in the future. The land west and south of the river within the one mile radius of Bennet should be reserved as agricultural.

### ***Future Land Use Policies***

As the future of Bennet unfolds, the following land use policies should be used to help guide the development in and around the Village in a positive direction. These policies

will provide the foundation upon which decisions for orderly and effective growth of the Village can be made.

## ***Location Policy***

The location policy seeks to project future uses and needs for land, but allows for a greater supply than demand in order for the market to function properly. Maintaining a balance among the types of land uses is important. For instance, to allow a large increase in commercial area without a corresponding increase in residential would be inappropriate since there would be no increase in customers to support the new businesses.

Development, to the greatest extent possible, should take place in the following order to make the best use of available resources:

- In-fill within the existing corporate limits
- Contiguous to existing developments and/or services
- New areas non-contiguous to the existing corporate limits

Encouraging development first and foremost within the corporate limits would allow for the logical and cost effective extension of streets and utilities. The Village may authorize non-contiguous development if the developer pays for the "gap" costs of extending services from existing connections to the proposed development, or if the extensions would open up needed or desirable areas of the community for additional growth.

A development corridor is recognized in Highway 43 through the Village to Highway 2. Residential density should be higher (smaller lots) near the Village center and Highway 43, and should be lower (larger lots) farther away from those areas. This corridor should also serve purposes which will create employment opportunities. Near the Village should be an area for retail development which is unable to locate in the central business district. Near the junction of the two highways is an area for industrial use. Access to any area should be by frontage roads or shared drives in order to promote better traffic flow and to minimize the accident potential.

The location policy must also consider the topography of the area. For development to occur, the area should lend itself easily to service and utilities. The maximum elevation in relation to the water tower must be examined as well as the possibility of gravity fed sewer. New development shall provide a design within subdivisions such that the increase in storm water runoff as a result of the development will not increase by more than 5%.

The location policy also relates to recreational use of the land. Areas along drainage ways, trees, or other natural features should be developed for parks. New developments should provide for adequate park space. The Village should encourage the Natural Resource District and other local, state and federal agencies to utilize potential recreational opportunities within the Bennet area to develop sites for both active and passive recreation.

## ***Annexation Policy***

If Bennet is to grow, land will eventually need to be annexed. Any subdivision occurring contiguous to the Village should be annexed. Development not contiguous to the Village should be allowed only when a subdivision improvements agreement exists which includes a non-contested annexation clause. Annexation should be effected as soon as financially and legally possible.

## ***Transition Policy***

New development should give consideration to the existing surrounding land uses. Boundaries between different land uses are best created along alleys, the short side of lots, or natural features (streams, railroads, etc.). New development should provide, if needed, any screening, buffers, or extra setback when located next to existing uses. Screening or buffers can be plant material, low earthen berms, solid fences, or any combination of these.

## ***Financing Policy***

To encourage development the Village must determine what part it will have in financing needed improvements. Three general types of financing exist.

1. General Obligation Bonds - The Village can issue bonds for improvements and repay the amount through general tax revenues. As of July 31, 1994, the existing Village debt is \$470,779 principal on the water tower to be retired in 2023 and \$140,000 on the sewer improvements to be retired in 2005.
2. Revenue Bonds - The Village can create benefit districts where costs of a specific project are financed by the Village and are then charged back as assessments upon the properties which benefit from that project. No benefit district currently exists within the Village.
3. Sanitary Improvement District - S.I.D's provide for 3rd party financing of improvements. The district must be outside the Village limits. S.I.D's should be allowed only when all else fails and only when there is a subdivision improvements agreement between the Village and the S.I.D which defines the requirements and gives the Village non-contested annexation rights, thus allowing the Village to annex the S.I.D. at its discretion without objection at some point in the future.

## ***Future Land Use Plan***

State statute gives the Village the authority over land use planning for the area within a one mile radius of its corporate limits. Also, a sub-area amendment to the Lancaster County Comprehensive Plan can be developed and presented for adoption to the County Planning Commission and County Board including the land within a two mile radius. This would further aid in protecting the integrity of the Village and its future interests.

On the basis of the policies outlined earlier in this section, Maps 1 & 2 give an aerial view of the future land use proposal in and around the Village of Bennet.

The following points, which are referenced all or in part from other sections of this plan, are included here for purposes of clarification.

- Future expansion of the corporate limits of Bennet for purposes of growth should be directed North and East
- Commercial/retail development should occur along the Highway 43 corridor
- A green belt or buffer zone of open space should exist between the residential and light industrial areas proposed north of Saltillo Road
- Parks and open space should be planned for and developed in conjunction with any residential developments outside the current corporate limits
- An area of land around the school is designated for the purposes of school expansion
- Residential development should in-fill open areas within the current corporate limits to the greatest extent possible
- The current land use structure of the Village, as it exists today, is likely to remain unchanged and should provide for a majority of the higher density residential land use needs
- All other lands not specifically designated should remain agriculturally zoned









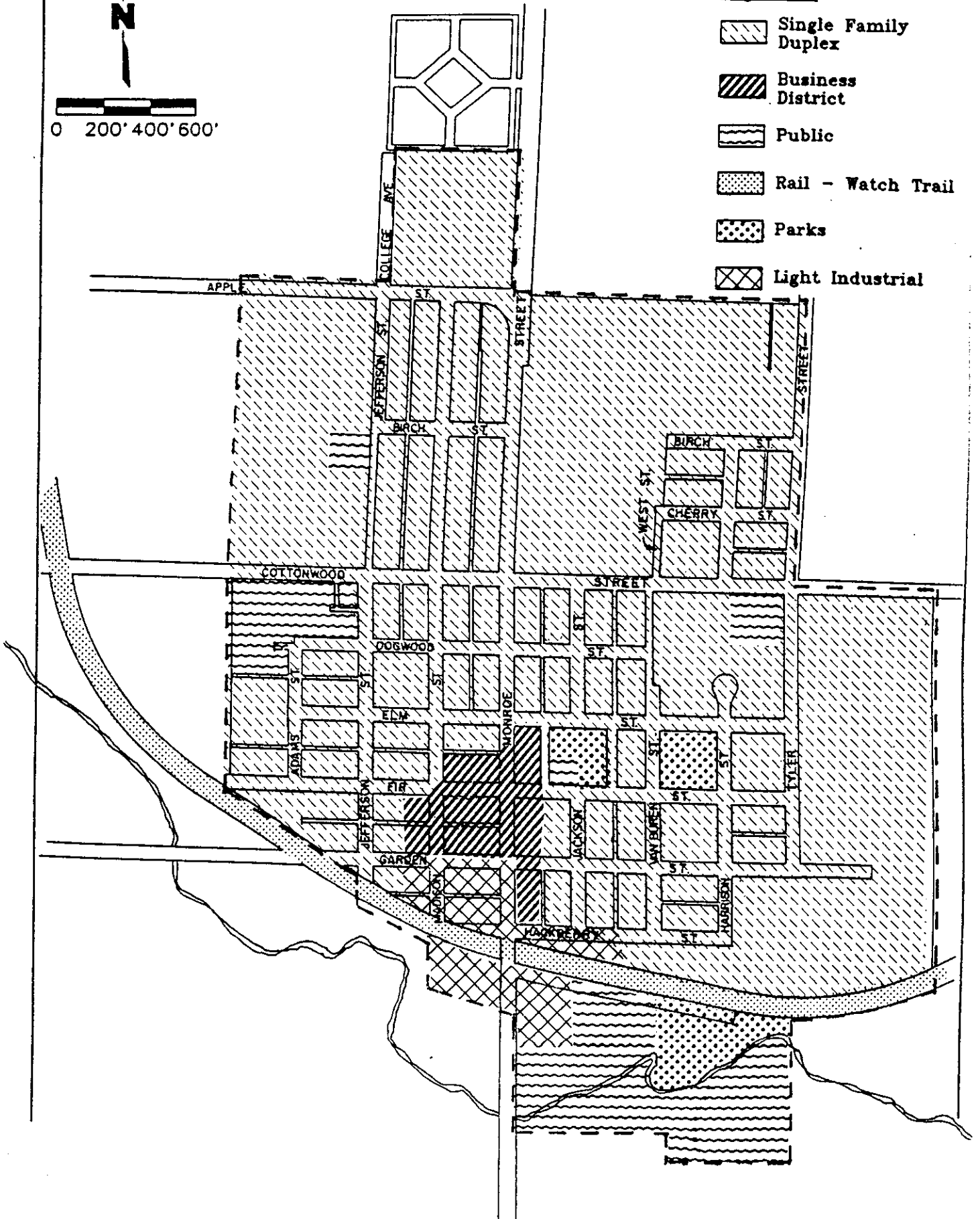
Map 1 - Future Land Use, Village Corporate Limits



## Land Use

### Legend

-  Single Family Duplex
-  Business District
-  Public
-  Rail - Watch Trail
-  Parks
-  Light Industrial



Map 2 - Future Land Use, One Mile Radius

